

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PATRICIA MCLEAD, et al.,	§	
	§	
Plaintiffs	§	
	§	
v.	§	Civil Action No. 2:08-CV-00264
	§	
L-3 COMMUNICATIONS VERTEX	§	
AEROSPACE, LLC,	§	
	§	
Defendant	§	

CONSENT PROTECTIVE ORDER

WHEREAS, plaintiffs seek documents and information in Plaintiffs' Third Request for Production Nos. 5, 14, and 15 which contain confidential, sensitive or propriety information;

WHEREAS, the Court has reviewed the terms and conditions of the protective order submitted by the parties:

IT IS HEREBY ORDERED THAT:

1. This Consent Protective Order shall govern all documents and the information contained therein, produced or disclosed in response to Plaintiffs' Third Request for Production Nos. 5, 14 and 15, whether revealed in a document, deposition, other testimony, discovery response or otherwise, by plaintiff, by defendant or by third parties. This Consent Protective Order is binding upon the parties and others as set forth in this Order.

2. Information and documents covered by this Consent Protective Order shall be disclosed by the receiving party only to the following persons:

- a. Any counsel employed by any party to assist in this action; the attorney, paralegals and stenograph and clerical

employees in the respective law firms of such counsel; the personnel supplied by any independent contractor with whom such attorneys work in connection with this action; and stenographic employees and court reporters recording or transcribing testimony relating to this action.

- b. Any outside consultant or expert, who is hired by and is assisting the counsel described in the preceding paragraph, to whom it is necessary to disclose information or documents covered by this Consent Protective Order for the purpose of assisting in this lawsuit, *provided that* such person has signed a document in the form of "Exhibit A" attached hereto before viewing any such information or documents and otherwise complies with this Order. Such signed documents in the form of Exhibit A shall be retained by counsel for each party, and will be subject to inspection for good cause shown by the other parties at the conclusion of this action;
- c. The Court and any members of its staff to whom it is necessary to disclose information or documents covered by this Consent Protective Order for the purpose of assisting the Court in this action; and
- d. The mediator during a mediated settlement conference.

3. Persons having knowledge of information or documents covered by this Consent Protective Order by virtue of their participation in this action shall use that information only in connection with this action, and shall not use such information or documents for any other purpose, nor shall they disclose such information or documents to any other person for any other purpose.

4. The inadvertent disclosure by the supplying party of information or documents covered by this Consent Protective Order shall not be deemed a waiver in whole or in part of the supplying party's claim of confidentiality, either as to the specific information or documents disclosed or as to other information or documents on the same or related subject matter.

5. If information or documents covered by this Consent Protective Order is filed with the Court, it shall be filed under seal. However, this Consent Protective Order is not intended to limit the plaintiffs' ability to present the information covered by this Order to the jury, provided the Court determines the information is relevant and otherwise admissible.

6. Upon the conclusion of this action, at the written request of the supplying party, all information or documents covered by this Consent Protective Order, and any and all copies thereof, shall be returned within twenty (20) days to the supplying party.

7. This Order shall continue to be binding after the conclusion of this action.

This the 6th day of May, 2009.



The Honorable Janice G. Jack
Judge Presiding

The parties have consented to the entry of this order:

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EXHIBIT A

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SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PATRICIA MCLEAD, et al.,

§

Plaintiffs

§

v.

Civil Action No. 2:08-CV-00264

L-3 COMMUNICATIONS VERTEX
AEROSPACE, LLC,

§
§
§
§

Defendant

§

CONFIDENTIALITY AGREEMENT

The undersigned hereby acknowledges that (s)he has read the foregoing Protective Order dated _____, in the above-styled action presently pending in the United States District Court for the Southern District of Texas, Corpus Christi Division, and that (s)he understands the terms thereof, upon threat of penalty of Contempt of Court, to be bound by such terms.

Date

Signature

[Print Name]